

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

<b>IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION</b>	<b>MDL No. 2875</b>  <b>HON. ROBERT B. KUGLER</b>
<b>THIS DOCUMENT RELATES TO ALL CASES</b>	

**NOTICE TO TAKE VIDEOTAPED ORAL DEPOSITION**

Please take notice that pursuant to Federal Rule of Civil Procedure 30, and other applicable Rules, including the Local Civil Rules, and the applicable Orders of the Court, Plaintiffs, by and through their counsel, will take the videotaped deposition via Zoom, of Dr. David Chan, on March 3, 2022, at 9:00 a.m. Eastern time, and continuing until completion, via Zoom. The witness shall produce the documents requested at Exhibit A, attached hereto, at least two days in advance of the deposition, to the extent not already served upon Plaintiffs.

**TAKING ATTORNEY FOR PLAINTIFFS:**

NICHOLAS A. MIGLIACCIO  
Migliaccio & Rathod LLP  
412 H St NE #302,  
Washington, DC 20002  
Phone: (202) 470-3520  
Fax: (202) 800-2730  
Email: [nmigliaccio@classlawdc.com](mailto:nmigliaccio@classlawdc.com)

The videotaped deposition will be taken via Zoom before a person authorized by law to administer oaths, pursuant to Rule 28 of the Federal Rules of Civil Procedure.

February 25, 2022

**PLAINTIFFS' CO-LEAD COUNSEL**

By: /s/ Nicholas A. Migliaccio

Nicholas A. Migliaccio

**MIGLIACCIO & RATHOD LLP**

412 H St NE #302,

Washington, DC 20002

Phone: (202) 470-3520

Fax: 202) 800-2730

Email: [nmigliaccio@classlawdc.com](mailto:nmigliaccio@classlawdc.com)

**EXHIBIT A**

**DOCUMENT REQUESTS**

1. Copies of all invoices for work performed in connection with any consultation or expert work performed for or on behalf of any defendant or their counsel with regard to any issues in this MDL, including but not limited to the review of documents, review and consultation with regard to plaintiff experts, preparation of Dr. Chan's report, and preparation for deposition or trial.
2. Any notes, i.e. written or electronic, reflecting consulting or litigation work that has not been documented in invoices.
3. All documents relating to any remuneration Dr. Chan has received from any manufacturer, distributor, or retailer of pharmaceutical drugs.
4. Any articles, books, papers, studies, presentations, seminars, classes, or other documents (including PowerPoint-type slides) authored or used by Dr. Chan with regard to (1) medical monitoring plans; (2) drug safety and cancer risk; (3) nitrosamines; (4) the use of data to ascertain members of a proposed class in a class action; (5) public health related particularly to cancer screening and/or diagnostics; or (6) any other data, opinions or topic contained within Dr. Chan's report.
5. Copies of any documents or articles relied upon for the opinions set forth in the report served.
6. Copies of any documents or articles reviewed in connection with the report served, whether or not listed in the report or attachments thereto.
7. All documents reflecting any communications with patients concerning valsartan (you may redact patient identifiers and unrelated HIPAA-protected information).
8. Copies of all Publications and Presentations listed in Dr. Chan's CV, which is Appendix A to his Expert Report, and any updated CV or testimony list.
9. Any illustrations, PowerPoints, images, charts, tables or demonstrative exhibits that may be used by or with Dr. Chan in connection with a Daubert hearing or trial testimony in this litigation.
10. All notes, calculations, memoranda, drawings, models, illustrations, diagrams, recordings, or records generated or utilized by Dr. Chan in connection with his involvement in this action, whether hand-written or in electronic format. This request excludes any Documents deemed to be work product pursuant to Fed. R. Civ. P. 26(b)(4)(A-C).

11. Documentation of any prior work Dr. Chan has done as a consultant for any of the Defendants in this action.
12. All documents reflecting valsartan or any other drug recalls relating to (1) medical monitoring plans; (2) drug safety and cancer risk; (3) nitrosamines; (4) the use of data to ascertain members of a proposed class in a class action; (5) public health related particularly to cancer screening and/or diagnostics; or (6) any other data, opinions or topic contained within Dr. Chan's report that the witness received, reviewed, or sent.
13. Any documents or other communications the witness has received from any person or entity with regard to: (1) medical monitoring plans; (2) drug safety and cancer risk; (3) nitrosamines; (4) the use of data to ascertain members of a proposed class in a class action; (5) public health related particularly to cancer screening and/or diagnostics; or (6) any other data, opinions or topic contained within Dr. Chan's report, outside of information provided by counsel who retained the witness.
14. Any communications from the witness to any person or entity with regard to (1) medical monitoring plans; (2) drug safety and cancer risk; (3) nitrosamines; (4) the use of data to ascertain members of a proposed class in a class action; (5) public health related particularly to cancer screening and/or diagnostics; or (6) any other data, opinions or topic contained within Dr. Chan's report, outside of communications to counsel who retained the witness.
15. Any textbook referenced by the witness in forming his opinions.
16. All documents relating to any pharmacy benefit on which Dr. Chan consulted, including identity of entities and persons with whom Dr. Chan consulted.
17. A list of all cases in which Dr. Chan has, during the past ten years, provided to the court or to counsel an expert disclosure or expert report, or in which Dr. Chan has given a deposition or testified in court, including (a) the jurisdiction in which each case was filed or its venue, (b) the case number, and (c) the party and attorney for whom Dr. Chan acted as an expert witness. For each of these cases, please provide any transcripts of the depositions or trial testimony.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

<b>IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION</b>	<b>MDL No. 2875</b>  <b>HON. ROBERT B. KUGLER</b>
<b>THIS DOCUMENT RELATES TO ALL CASES</b>	

**CERTIFICATE OF SERVICE**

I hereby certify that on February 25, 2022, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

**PLAINTIFFS' COUNSEL**

*By: /s/ Nicholas A. Migliaccio*  
Nicholas A. Migliaccio  
**MIGLIACCIO & RATHOD LLP**  
412 H St NE #302,  
Washington, DC 20002  
Phone: (202) 470-3520  
Fax: (202) 800-2730  
Email: [nmigliaccio@classlawdc.com](mailto:nmigliaccio@classlawdc.com)